

Message Text

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ACTION OFA-01

INFO OCT-01 ARA-06 ISO-00 CIAE-00 DODE-00 INR-07 NSAE-00

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EB-07 SCA-01 H-02 DLOS-04 CG-00 DOTE-00 SS-15 TRSE-00

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R 142210Z JAN 76

FM AMEMBASSY QUITO

TO SECSTATE WASHDC 8654

INFO AMCONSUL GUAYAQUIL

C O N F I D E N T I A L QUITO 0368

E.O. 11652: GDS

TAGS: PLOS EFIS PFOR EC US

SUBJECT: TUNA FISH INITIATIVE: ECUADOREAN LAWS GOVERNING FISHING
BY FOREIGN VESSELS

REF: STATE 8601, QUITO 316, QUITO A-01, 74 QUITO A-83,
74 QUITO A-23

1. DEPARTMENT HAS BEEN FURNISHED INFORMAL ENGLISH TRANSLATIONS
OF TEXTS (AND IN SOME CASES SPANISH TEXTS) OF ECUADOREAN LICENSING
STATUTES AND OTHER RELEVANT LEGISLATION. OFFICIAL ENGLISH
TRANSLATIONS DO NOT EXIST. QUITO A-23 OF MARCH 19, 1974
PROVIDED INFORMAL EMBASSY TRANSLATION OF ECUADOREAN LAW ON
FISHING AND FISHERIES DEVELOPMENT WHICH IS STILL IN EFFECT.
QUITO A-83 OF AUGUST 23, 1974 SUPPLIED EMBASSY TRANSLATION
OF IMPLEMENTING REGULATIONS FOR THE ECUADOREAN FISHERIES
LAW. QUITO A-01 OF JANUARY 3, 1976 TRANSMITTED SPANISH
TEXTS AND EMBASSY TRANSLATIONS OF MINISTERIAL DECREE 12263
(PUBLISHED IN THE OFFICIAL REGISTER OF DECEMBER 17, 1974)
AND DECREE 12982 (PUBLISHED IN THE OFFICIAL REGISTER OF
DECEMBER 26, 1975) WHICH DEAL WITH THE EXCLUSIVE ZONE FOR
NATIONAL FISHERMEN AND FOREIGN BOATS THAT HAVE ASSOCIATION
AGREEMENTS WITH ECUADOREAN FIRMS, LIMITS ON SIZE OF FOREIGN
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VESSELS, AND DUTIES OF THE DIRECTORATE GENERAL OF FISHING.

QUITO'S 316 PROVIDED, BOTH IN ENGLISH AND SPANISH,
MINISTRY OF RESOURCES RESOLUTION 13023 OF JANUARY 12,
1976 REGARDING PURCHASE OF ECUADOREAN FISHING LICENSES
BY RADIO.

2. EMBASSY HAS REQUESTED CONSULATE GENERAL IN GUAYAQUIL
TO OBTAIN COPIES OF FORMS REQUIRED TO OBTAIN AN ECUADOREAN
FISHING LICENSE AND A COPY OF AN ECUADOREAN FISHING
LICENSE, AND TO TRANSMIT THEM VIA POUCH TO THE DEPARTMENT.

3. IT IS EMBASSY'S JUDGMENT THAT BUYING AN ECUADOREAN
FISHING LICENSE IS CLEARLY UNDERSTOOD BY THE ECUADOREAN
GOVERNMENT AS CONSTITUTING AN OBLIGATION ON FOREIGN
FISHERMEN'S PART NOT TO FISH WITHIN 60 MILES OF THE
COASTAL OR ISLAND TERRITORIES OF ECUADOR. THE ONLY EX-
CEPTION TO THIS PERTAINS TO FOREIGN FISHING VESSELS
THAT HAVE ENTERED INTO ASSOCIATION AGREEMENTS WITH
ECUADOREAN FIRMS, EITHER PUBLIC OR PRIVATE.

4. EMBASSY' ASSESSMENT OF HOW GOE WILL HANDLE A
SITUATION WHERE U.S. VESSELS WITH ECUADOREAN LICENSES
ARE FOUND FISHING IN THE 60-MILE EXCLUSIVE FISHING
ZONE IS THAT THEY WILL SEIZE THE VESSELS, UNLESS THOSE
FISHING BOATS HAVE ENTERED INTO ASSOCIATION AGREEMENTS
WITH ECUADOREAN FIRMS.
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